

## REMARKS

### Introduction

Claims 1-3, 5-28, and 30-35 are pending. In the Office Action of January 29, 2007, Claims 16-21 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1-3, 5-15, 22-28, and 30-35 were rejected under 35 U.S.C. § 102(b) as being fully disclosed by Szent-Gyorgyi et al., U.S. Patent No. 2,834,541. Also, Claims 16-21 were deemed allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph, and also if rewritten in independent form. The Examiner's indication of allowability of Claims 16-21 is appreciated.

### Allowance of Claims 16-21

Claim 16 has been rewritten in independent form. Moreover, in Claim 16 as rewritten, at line 17, "hub assembly" has been corrected to specify "hub sub-assembly." Based on the foregoing corrections and revisions, applicant respectfully submits that Claims 16-21 are in condition for allowance.

### Claims 1-27 and 34 Are Allowable in Revised Form

Applicant respectfully submits that the cited art does not have the present invention in mind. The present invention pertains to an agitating retort for processing products disposed in containers. The retort includes an outer shell structure and a drum assembly rotatable within the shell structure. The drum assembly receives containers of products to be processed within the retort. A process fluid distribution system is positioned within the interior of the drum assembly to distribute the processing fluid within the drum assembly. In addition, a rotary coupling is disposed within the shell structure and exterior to the interior of the drum assembly for directing processing fluid from the exterior of the drum assembly to the distribution system.

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The cited art, Szent-Gyorgyi et al., U.S. Patent No. 2,834,541, on the other hand, pertains to a laboratory centrifuge to separate solid matter from liquid. The centrifuge includes a rotor 22 for supporting test tubes 32 at an upwardly inclined orientation relative to the vertical axis. The rotor 22 is spun at a very high speed through a drive shaft 13 extending upwardly from beneath the rotor. The rotor is disposed within a bowl-shaped housing composed of a floor plate 14, a generally frusta-conically shaped tube 19 terminating at an upper thin flange 20. Thus, the top of the bowl is open. The mixture to be centrifuged is stored in an overhead reservoir 55 and is routed to the centrifuge through a stationary feed tube 53 that extends downwardly from the reservoir and through the open top of a cup structure 41 that is secured to the top of the centrifuge to rotate therewith. Four small tubes 45 extend radially outwardly from the cup 41 to terminate adjacent baffle cups 38 positioned on the top of stoppers 35 that close off the upper ends of the test tubes 32. An inlet tube 37 extends downwardly from each baffle cup 38 and then angles radially outwardly and then downwardly to extend a short distance along the test tube at a radially outwardly location along the test tube. Through this route, the mixture to be centrifuged travels from the reservoir to the test tubes.

When the mixture within the test tubes reaches a sufficient height, the liquid portion thereof is expelled from the test tube through a small hole 33 in registry with a corresponding hole 34 formed in the rotor so that the liquid is physically hurled against the wall 19 of the housing bowl. The liquid that collects at the bottom of the bowl is routed through a drain pipe 17, through the coupling tube 56, and then through pipeline 57 and back to an upper portion of the reservoir 55 so as to, at least in theory, constitute a "closed" system. Regardless, the cited reference still only pertains to a centrifuge. Accordingly, applicant respectfully submits that the cited reference is not relevant to the present invention, which pertains to distribution of process

fluids to the interior of a rotating retort drum for processing products within containers placed in the drum.

Nonetheless, to facilitate examination of the present application, Claim 1 has been amended to more clearly distinguish the present invention from the cited art. Claim 1 as amended specifies a substantially closed shell structure. As noted above, the top of the bowl of the prior art is almost completely open. Claim 1 as amended also specifies that the drum assembly is centrally substantially hollow to receive closed containers of products therein for processing. The cited reference does not disclose a drum assembly, but instead employs a rotor 22. The center of the rotor 22 is not substantially hollow for receiving closed containers.

Moreover, Claim 1 as amended specifies that the processing fluid distribution system is configured and positioned to cause processing fluid to flow over the closed containers. In the cited reference, the fluid mixture to be centrifuged is introduced into the interior of test tubes 32 and excess fluid is expelled from the test tubes through openings 33 formed in the test tubes. In the present invention, the product containers are closed during processing.

For at least the foregoing reasons, applicant respectfully submits that Claim 1 as amended is neither disclosed nor suggested by the cited reference.

Further, Claims 2, 3, 5-15, and 22-26 depend directly or indirectly from Claim 1. Accordingly, these claims also should now be found allowable.

Moreover, Claim 5 specifies that the rotary coupling comprises portions defining a fluid receiving annulus in fluid flow communication with a source of processing fluid as well as in fluid flow communication with the processing fluid distribution system. The Office Action asserts that cup 41 in the cited reference constitutes an annulus. Applicant strenuously disagrees. As defined in *Webster's Ninth New Collegiate Dictionary*, an annulus is a structure resembling a ring. Consistent with this definition, the present application states at page 7, beginning at

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line 18, "It would be appreciated that collar 167 and groove 165 cooperatively define a processing fluid receiving annulus." Moreover, the groove 165 is defined as radially open, being closed off by the collar 167. See page 7, lines 10 and 11. There is no such structure in the cup 41 of the cited reference. Accordingly, the present invention as defined in Claim 5 is neither disclosed nor suggested by the cited reference.

The Office Action also states that a flow controller (54) is disclosed in the cited reference. Such flow controller consists of a valve in feed tube 53. However, Claim 22, on the other hand, specifies a flow controller cooperative with a rotary coupling to selectively restrict or block flow of processing fluid to specific distribution lines of the processing fluid distribution system. No such structure is disclosed or even suggested by the cited reference.

Independent Claim 27 has also been amended to more specifically define the present invention and more clearly distinguish it from the cited reference. In a manner similar to Claim 1, Claim 27 as amended specifies distribution outlets configured in position to apply process fluid over products receivable within a drum assembly. Moreover, Claim 27 has been amended to specify a rotary coupling comprising a substantially stationary section for receiving processing fluid from a supply source, and a rotatable fluid receiving section for receiving processing fluid from the stationary section and directing the processing fluid to the plurality of process fluid distribution outlets. Further, Claim 27, as amended, specifies that the rotatable section is rotatable relative to the stationary section and a seal arrangement is disposed between the stationary section and the rotatable section to control the leakage of processing fluid from the rotary coupling.

In the cited reference, there is actually no rotary coupling between the lower end of feed tube 53 and the upper enlarged open top of cup 41. Moreover, there surely is no disclosure or suggestion in the cited reference of a seal arrangement between the lower end of the feed tube 53

and the top opening of the cup 41. Accordingly, for at least the foregoing reasons, the present invention as defined in amended Claim 27 is neither disclosed nor suggested in the cited reference.

Further, Claims 30-33 depend directly or indirectly from Claim 27. Accordingly, these subclaims should also now be found allowable. In addition, Claim 33 specifies a flow controller to restrict or block the flow of process fluid to selected of said plurality of process fluid distribution outlets. As discussed above relative to Claim 22, this structure is neither disclosed nor suggested in the cited reference.

Claim 34 has been amended in a manner similar to Claim 27. In this regard, the rotary coupling in Claim 34 comprises portions defining a fluid receiving annulus in fluid flow communication with an inlet connectable with a source of process fluid. The fluid receiving annulus is in fluid flow communication with a plurality of distribution lines. In addition, the rotary coupling further comprises a seal arrangement disposed between the inlet and the annulus.

As discussed above, with respect to Claim 5, the cited reference does not disclose or suggest a fluid receiving annulus. Moreover, as discussed above with respect to Claim 27, the cited reference does not disclose a rotary coupling having a seal arrangement, let alone a seal arrangement between an inlet and a fluid receiving annulus. For at least these reasons, independent Claim 34 is neither disclosed nor suggested by the cited reference.

Since Claim 35 depends from Claim 34, Claim 35 also should now be found allowable.

#### New Claim 37

New Claim 37 consists of essentially the subject matter added to Claims 27 and 34 with respect to a rotary coupling having a seal arrangement. New Claim 37 more completely defines the present invention. Moreover, as discussed above with respect to Claims 27 and 34, the

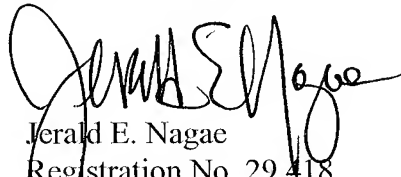
present invention as defined in new Claim 37, is neither disclosed nor suggested in the cited reference.

Closure

Based on the foregoing amendments, additions and remarks, applicant respectfully submits that all of the pending claims in the present application are now allowable. If the Examiner has any questions concerning the foregoing, he is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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